

Rejection Under 35 USC 112 Second Paragraph and 35 USC 101

Claims 11-40 remained rejected under 35 USC 112, Second Paragraph and Claim 11 was rejected under 35 USC 101 for reasons set forth in the previous office action, dated July 1, 2004 ("Previous Office Action"). See Pages 2-3 of the Office Action. According to the Office Action, "Applicant has not stated the purpose for which the composition is applied." Applicants respectfully disagree. Claim 11 clearly recites the purpose of "administering an extract of feverfew to a human." Claim 11 also recites the step of "topically applying a composition comprising an extract of feverfew to said human." Applicants are unaware of any requirements, nor has the Office Action cited any requirements, for Applicants to recite specific benefits in a method claim. Accordingly, Applicants respectfully request that the above rejection be withdrawn.

Double Patenting

Claims 1 and 11-40 were rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-20 of US Patent No. 6,410,062. See page 5 of the Office Action. Applicants agree to submit an appropriate terminal disclaimer upon the indication of allowable subject matter in the present application.

Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

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